

REMARKS

This Amendment is fully responsive to the non-final Office Action dated October 15, 2008, issued in connection with the above-identified application. Claims 6-11, 40 and 44-47 were previously pending in the present application. With this Amendment, claims 9 and 46 have been canceled without prejudice or disclaimer to the subject matter therein; and claims 6, 8, 10, 11, 40, 45 and 47 have been amended. No new matter has been introduced by the amendments made to the claims. Thus, favorable reconsideration is respectfully requested.

In the Office Action, claims 6-11 and 40 have been rejected under 35 U.S.C. 101 for allegedly being directed to non-statutory subject matter. In particular, the Examiner indicates that claims 6-11 and 40 do not recite hardware and merely describe a computer program *per se*. However, the Applicants respectfully disagree. The Applicants' disclosure clearly states that the "units" recited in the above claims are "realized in a form of a central processing unit (CPU) or the like" (see pg. 18, 19-25). A CPU would clearly be understood by one of ordinary skill in the art as a hardware device (i.e., a processor or logic machine). Therefore, contrary to the Examiner's conclusions, claims 6-11 and 40 recite hardware, not a computer program *per se*. Accordingly, claims 6-11 and 40 are directed to statutory subject matter, and withdrawal of the rejection under 35 U.S.C. 101 is respectfully requested.

In the Office Action, claim 40 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner indicates that the limitation "the presentation apparatus" lacks proper antecedent basis. The Applicants have amended claim 40 to address this rejection. Withdrawal of the rejection to claim 40 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Additionally, in the Office Action, the Examiner indicates that claim 40 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph (see pg. 19 of Office Action). Additionally, the Examiner indicates that claims 40 and 44 would be allowable if rewritten or amended to combine the presentation control information extraction unit and the presentation apparatus specification information unit with the update judgment unit.

As noted above, claim 40 has been amended to address the rejection under 35 U.S.C. 112, second paragraph. Additionally, claim 40 has been amended to combine the presentation control

information extraction unit and the presentation apparatus specification information unit with the update judgment unit, as suggested by the Examiner. Accordingly, claim 40 should now be in condition for allowance.

With regard to claim 44, the Applicants respectfully point out that this claim is a method claim and does not recite the separate “units,” as in claim 40. Therefore, no claim amendments are believed to be necessary to make the combination suggested by the Examiner (i.e., combine a presentation control information extraction unit and a presentation apparatus specification information unit with an update judgment unit). However, the Applicants did amend independent claims 6 and 10 to make the suggested combination. Accordingly, claim 44 is also believed to be in condition for allowance as previously presented.

In Office Action, claims 6-11 and 45-47 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Goto et al. (U.S. Publication No. 2001/0011287, hereafter “Goto”) in view of Young et al. (U.S. Publication No. 2003/0185182, hereafter “Young”).

The Applicants have canceled claims 9 and 46 rendering the above rejection to those claims moot. Additionally, the Applicants have amended independent claims 6, 10, 45 and 47 to help further distinguish the present invention from the cited prior art. As amended, claim 6 recites the following features:

“[a] receiving apparatus comprising:

a content receiving unit configured to receive content including presentation data which is one of printing data and displaying data, and presentation control information associated with the presentation data, the presentation control information including presentation specification information describing a presentation specification related to an output by printing or displaying by a first presentation apparatus, and being previously defined in order to guarantee uniqueness of a page layout of the presentation data, and a style sheet describing presentation settings when the presentation data of the content is printed or displayed;

an update judgment unit configured to extract the presentation control information from the received content, obtain, from a second presentation apparatus connected to the receiving apparatus, presentation apparatus specification information related to an output

by printing or displaying by the second presentation apparatus, check whether or not the presentation specification indicated by the presentation apparatus specification information corresponds to the presentation specification information included in the presentation control information by comparing the presentation specification information with the obtained presentation apparatus specification information, judge that update of the style sheet is unnecessary when the check shows that the presentation specification corresponds to the presentation specification information, and judge that update of the style sheet is necessary when the check shows that the presentation specification does not correspond to the presentation specification information; and

a content output unit configured to output, to the first presentation apparatus, (i) the presentation data which is outputted by printing or displaying based on the presentation specification and the style sheet included in the presentation control information, and (ii) a result of the judgment.”

The features emphasized above in independent claim 6 are similarly recited in independent claims 10, 45 and 47. Specifically, claim 10 is directed to an apparatus that includes the features noted above in claim 6; and claim 45 is directed to a method and claim 47 is directed to a program that both perform steps directed to the features noted above in claim 6. Additionally, the features emphasized above are fully supported by the Applicants’ disclosure.

The present invention (as recited in independent claims 6, 10, 45 and 47) is characterized in that an update judgment unit or step judges whether or not a style sheet should be updated by comparing presentation specification information in presentation control information included in a received content with presentation apparatus specification information obtained from a presentation apparatus connected to a receiving apparatus. In the present invention, the style sheet is included in the presentation control information in the content and sent to the receiving apparatus. The presentation control information includes presentation specification information in addition to the style sheet; and the presentation specification information includes a description of specifications of a presentation apparatus which is to present and output the content. The presentation apparatus specification information includes a description of specifications related to output by printing or displaying by a presentation apparatus which is

actually connected to the receiving apparatus.

The update judgment unit or step of the present invention (as recited in independent claims 6, 10, 45 and 47) checks whether or not the presentation specification indicated by the presentation apparatus specification information corresponds to the presentation specification information included in the presentation control information; judges that update of the style sheet is unnecessary when the check shows that the presentation specification corresponds to the presentation specification information; and judges that update of the style sheet is necessary when the check shows that the presentation specification does not correspond to the presentation specification information. No such features are believed to be disclosed or suggested by the cited prior art.

In the Office Action, the Examiner relies on Goto in view of Young for disclosing or suggesting all the features recited in independent claims 6, 10, 45 and 47. However, the Applicants assert that Goto in view of Young fails to disclose or suggest all the features recited in independent claims 6, 10, 45 and 47 (as amended).

Goto discloses a style definition supporting apparatus which includes a database in which templates of style definition information are registered in advance for enabling a user to easily define a display or printing style of a structured document, and which generates style definition information according to template information and modifications specified by the user when the user generates the style definition information.

Young discloses a general server which does not require a different application to customize display of information for each of the categories of mobile devices requesting the information. In Young, a device manager holds a style sheet for each of the categories of the mobile devices and a server transceiver displays or prints the information requested by a mobile device according to the style sheet read from the device manager.

In Goto and Young, plural style sheets are held in a database or a device manager, and one of the style sheets is read to be processed or used to cause a presentation apparatus to display or print information according to the style sheet. In contrast, in the present invention, a style sheet suitable for content is generated based on the specifications of a possible presentation apparatus and included in the content. In other words, only presentation apparatuses having the

presentation specifications assumed in advance can present the content strictly according to the style sheet. A presentation apparatus having presentation specifications significantly different from the assumed presentation specifications can provide an intended presentation and output result only when the style sheet is modified to be updated. In regard to this, the present invention (as recited in independent claims 6, 10, 45 and 47) is significantly different from the disclosures of Goto and Young in which plural style sheets are prepared in association with presentation apparatuses.

Therefore, even if Goto and Young are combined, one of ordinary skill in the art could not arrive at the present invention, which is configured to enable the receiving apparatus: to compare (i) the presentation specification assumed in advance, and (ii) the presentation specification indicated by the presentation apparatus specification information received from the presentation apparatus actually connected; and to judge whether or not update of the style sheet is necessary.

Accordingly, the combination of Goto and Young cannot provide the advantageous effect provided by the present invention. That is, the present invention can, in the case where the presentation specification indicated in the presentation specification information for a second presentation apparatus connected to the receiving apparatus is different from the presentation specification for a first presentation apparatus assumed in advance, update the style sheet to a style sheet in conformance with the presentation specification for the second presentation apparatus connected to the receiving apparatus, and provide a presentation result similar to the presentation result obtainable by the first presentation apparatus assumed in advance.

Based on the above discussion, no combination of Goto and Young would result in, or otherwise render obvious, independent claims 6, 10, 45 and 47 (as amended). Likewise, no combination of Goto and Young would result in, or otherwise render obvious, claims 7, 8 and 11 at least by virtue of their respective dependencies from independent claims 6 and 10.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass this application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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